

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: ASBESTOS PRODUCTS LIABILITY
LITIGATION (NO. VI)

This Document Relates To:

Cases from the law firm of
Cascino Vaughan Law Offices, Ltd.

U.S. DISTRICT COURT FOR THE NORTHERN
DISTRICT OF ILLINOIS
Kelley v. AC and S, Inc., Case No. 99C5948

Civil Action No. MDL 875

ORDER APPOINTING SPECIAL ADMINISTRATOR

This matter coming to be heard on the plaintiff's motion for appointment of Special Administrator and to amend the complaint to reflect said appointment, it is hereby ordered:

1. Barbara A Kelley is appointed Special Administrator solely for the purposes of pursuing the above lawsuit.
2. The complaint is hereby amended on its face substituting Barbara A Kelley, individually and as special administrator for the estate of Howard B Kelley, as plaintiff herein.

Date:

4/17/08


Honorable Judge Giles

Michael P. Cascino
Cascino Vaughan Law Offices, Ltd.
220 South Ashland Ave.
Chicago, IL 60607
(312) 944-0600
(312) 944-1870 (fax)

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MOTION TO APPOINT SPECIAL ADMINISTRATOR

NOW COMES Barbara A Kelley, by and through her attorneys, CASCINO VAUGHAN LAW OFFICES, LTD. and pursuant to Rule 25 (a) of the Federal Rules of Civil Procedure, moves this Honorable Court to enter an order to appoint her Special Administrator on behalf of Howard B Kelley, deceased, to litigate the above-captioned matter, and to change the above caption to reflect the same, and, in support thereof, states as follows:

1. Plaintiff, Howard B Kelley, died on 04/06/2004, pursuant to State of Illinois Medical Death Certificate attached hereto.
2. Barbara A Kelley is the wife of Howard B Kelley and plaintiff in her own right in the instant matter.

WHEREFORE, Barbara A Kelley, moves this Honorable Court to enter an order appointing her Special Administrator for the purpose of litigating this cause, and changing the caption to read: Barbara A Kelley, individually and as special administrator of the estate of Howard B Kelley, deceased, Plaintiff v. A C and S., Inc., et. al., Defendants.

Respectfully submitted,

By: s/ Michael P. Cascino
One of Plaintiff's Attorneys

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DECEASED'S BIRTH NO.
REGISTRATION
DISTRICT NO. **50.3**
REGISTERED
NUMBER

STATE OF ILLINOIS

STATE FILE
NUMBER

MEDICAL CERTIFICATE OF DEATH

Type or Print in
PERMANENT INK
See Funeral Director's
Hospital or Physician's
Handbook for
INSTRUCTIONS

A.

DECEASED

1. DECEASED-NAME FIRST **HOWARD** MIDDLE **B.** LAST **KELLEY** SEX **MALE** DATE OF DEATH MONTH DAY YEAR **APRIL 6, 2004**

2. COUNTY OF DEATH **LaSalle** AGE LAST BIRTHDAY (MM/DD/YY) **50 09** UNDECEASED YEAR MONTH DAY **1953**

3. CITY, TOWN, VILLAGE OR ROAD DISTRICT NUMBER **Ottawa** HOSPITAL OR OTHER INSTITUTION NAME (IF NOT IN CHARGE, GIVE STREET AND NUMBER) **Community Hospital of Ottawa** IF DECEASED WAS INPATIENT (SPECIFY) **Inpatient**

4. PLACE OF DEATH (CITY AND STATE OR FOREIGN COUNTRY) **Zblaine, Ohio** MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) **Married** NAME OF SURVIVING SPOUSE (MARRIAGE NAME, IF WIFE) **Barbara Jones** WAS DECEASED'S SPOUSE AT DEATH (YES/NO) **Yes**

5. SOCIAL SECURITY NUMBER **10-8973** USUAL OCCUPATION **Millwright** KIND OF BUSINESS OR INDUSTRY **Construction** EDUCATION (SPECIFY ONLY HIGHEST GRADE COMPLETED) **12 12** (Elementary Secondary 1-12) (College 13-16) (5+)

6. RESIDENCE (STREET AND NUMBER) **886 Acorn Lane** CITY, TOWN, VILLAGE OR ROAD DISTRICT NO. **130 Marseilles** INSIDE CITY (YES/NO) **Yes** COUNTY **LaSalle**

7. STATE **Illinois** ZIP CODE **61341** RACE (WHITE, BLACK, AMERICAN INDIAN, HAWAIIAN, OTHER) **White** OF HISPANIC ORIGIN? (SPECIFY NO OR YES - IF YES, SPECIFY CUBAN, MEXICAN, PORTUGUESE, ETC.) **No**

8. FATHER-NAME FIRST MIDDLE LAST **Snowden Kelley** MOTHER-NAME FIRST MIDDLE LAST **Mary Paul**

9. INFORMANT NAME (TYPE OR PRINT) **Barbara Kelley** RELATIONSHIP **Wife** MAILING ADDRESS (STREET AND NO. OR P.O. BOX, CITY, TOWN, VILLAGE OR ROAD DISTRICT, STATE, ZIP) **170886 Acorn Lane, Marseilles, IL 61341**

PARENTS

1.

17a. Barbara Kelley

17b. Wife

17c. 170886 Acorn Lane, Marseilles, IL 61341

17d. 170886 Acorn Lane, Marseilles, IL 61341

17e. 170886 Acorn Lane, Marseilles, IL 61341

17f. 170886 Acorn Lane, Marseilles, IL 61341

17g. 170886 Acorn Lane, Marseilles, IL 61341

17h. 170886 Acorn Lane, Marseilles, IL 61341

17i. 170886 Acorn Lane, Marseilles, IL 61341

17j. 170886 Acorn Lane, Marseilles, IL 61341

17k. 170886 Acorn Lane, Marseilles, IL 61341

17l. 170886 Acorn Lane, Marseilles, IL 61341

17m. 170886 Acorn Lane, Marseilles, IL 61341

17n. 170886 Acorn Lane, Marseilles, IL 61341

CAUSE

18. PART I.

Immediate Cause (Final disease or condition leading to death)

(a) **Adeno Carcinoma, Lung**(b) **Metastatic To Cerebellum**(c) **Lung Liver**(d) **Metastatic To Cerebellum**(e) **Metastatic To Cerebellum**(f) **Metastatic To Cerebellum**(g) **Metastatic To Cerebellum**(h) **Metastatic To Cerebellum**(i) **Metastatic To Cerebellum**(j) **Metastatic To Cerebellum**(k) **Metastatic To Cerebellum**(l) **Metastatic To Cerebellum**

2.

19. PART II.

Under the following conditions, the death occurred:

(a) **Adeno Carcinoma, Lung**(b) **Metastatic To Cerebellum**(c) **Lung Liver**(d) **Metastatic To Cerebellum**(e) **Metastatic To Cerebellum**(f) **Metastatic To Cerebellum**(g) **Metastatic To Cerebellum**(h) **Metastatic To Cerebellum**(i) **Metastatic To Cerebellum**(j) **Metastatic To Cerebellum**(k) **Metastatic To Cerebellum**(l) **Metastatic To Cerebellum**

CERTIFIER

20a. DATE OF OPERATION, IF ANY

20b. MAJOR FINDINGS OF OPERATION

20c. DATE OF OPERATION, IF ANY

20d. MAJOR FINDINGS OF OPERATION

20e. DATE OF OPERATION, IF ANY

20f. MAJOR FINDINGS OF OPERATION

20g. DATE OF OPERATION, IF ANY

20h. MAJOR FINDINGS OF OPERATION

20i. DATE OF OPERATION, IF ANY

20j. MAJOR FINDINGS OF OPERATION

20k. DATE OF OPERATION, IF ANY

20l. MAJOR FINDINGS OF OPERATION

20m. DATE OF OPERATION, IF ANY

20n. MAJOR FINDINGS OF OPERATION

DISPOSITION

21a. BIRTH, CREMATION, REMOVAL, REPORT

21b. BIRTH, CREMATION, REMOVAL, REPORT

21c. BIRTH, CREMATION, REMOVAL, REPORT

21d. BIRTH, CREMATION, REMOVAL, REPORT

21e. BIRTH, CREMATION, REMOVAL, REPORT

21f. BIRTH, CREMATION, REMOVAL, REPORT

21g. BIRTH, CREMATION, REMOVAL, REPORT

21h. BIRTH, CREMATION, REMOVAL, REPORT

21i. BIRTH, CREMATION, REMOVAL, REPORT

21j. BIRTH, CREMATION, REMOVAL, REPORT

21k. BIRTH, CREMATION, REMOVAL, REPORT

21l. BIRTH, CREMATION, REMOVAL, REPORT

21m. BIRTH, CREMATION, REMOVAL, REPORT

21n. BIRTH, CREMATION, REMOVAL, REPORT

I HEREBY CERTIFY THAT the foregoing is a true and correct copy of the death record for the decedent named at item 1 and that this record was established and filed in my office in accordance with the provisions of the Illinois statutes relating to the registration of births, stillbirths, and deaths.

DATE **4-6-2004** SIGNED **Shelly Z. Munk**
AT **Ottawa, IL** OFFICIAL TITLE **Registrar**

The original of this death is permanently filed with the ILLINOIS DEPARTMENT OF PUBLIC HEALTH at Springfield. County clerks and local registrars are authorized to make certifications from copies of the original record. The Illinois statutes provide that the certifications of a death record by the Department of Public Health or the local registrar or the county clerk shall be prima facie evidence in all courts and places of the facts therein attained.

CERTIFICATE OF SERVICE
FOR CASE NO. 99C5948

I hereby certify that on April 10, 2008, I sent to the Clerk of the United States District Court for the Eastern District of Pennsylvania, and electronically filed the foregoing with the United States District Court for the Northern District of Illinois using the CM/ECF system which will send notification of such filing to the following:

Edward Michael Crane, ecrane@skadden.com
Russell J. Hoover, rhoover@jenner.com
Christopher P. Larson, clarson@hrva.com
Craig T. Liljestrand, cliljestrand@hinshawlaw.com, court filing@hinshawlaw.com
Daniel William McGrath, dmcgrath@hinshawlaw.com
Francis Peter Morrissey, fpm@bmwlawfirm.com, nc@bmwlawfirm.com
Mark Edward Rakoczy, mrakoczy@skadden.com
Robert Harrington Riley, rriley@schiffhardin.com
Deborah G. Solmor, dsolmor@skadden.com
Willis Rollin Tribler, wrtribler@tribler.com, ls wilson@tribler.com

and I mailed by United States Postal Service copies to the following non-CM/ECF participants:

Michael J. Hennig
Cassiday, Schade & Gloor
20 North Wacker Drive
Suite 1040
Chicago, IL 60606-2903

By: s/ Michael P. Cascino
One of Plaintiff's Attorneys

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